

REMARKS

Claims 1-4, 6, 7, 9-11, and 13-21 are pending in this application, with claims 1, 7, and 21 being independent. Claim 21 has been amended.

As an initial matter, an Interview Summary was mailed by the Examiner on August 25, 2008, following the telephone interview conducted with one of Applicants' representatives, Raymond A. DiPerna (Reg. No. 44,063), on August 21, 2008. The Interview Summary states: "The Examiner's rejections and the attorney's arguments were discussed." This summary is concurred with, and further detail as to the specifics of what was discussed is provided below. The Examiner is thanked for kindly participating in the interview.

Claims 1-4, 6, 7, 10, 11, and 13-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,786,513 to Cobben. Claims 9 and 21 were rejected under 35 U.S.C. § 103(a) as being obvious from Cobben in view of Kimura (JP 2000233561).

Applicants submit that independent claims 1, 7, and 21, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 1 is directed to in a method for verifying the authenticity of a document, wherein the document comprises a carrier with a plurality of perforations, at least part of the perforations having an elongate cross section with a minimum and a maximum diameter. As recited in the claim, the improvements comprise the steps of viewing the document from at least one viewing direction that is *non-perpendicular* to a surface of the carrier and deriving the authenticity from an optical transmission of the perforations in the viewing, the perforations extending through the carrier in a direction *perpendicular* to the surface.

Among the notable features of the verifying method of claim 1 are that the document as

claimed is viewed from at least one viewing direction that is non-perpendicular to a surface of the carrier, the perforations extending through the carrier in a direction perpendicular to the surface. Nothing in Cobben would teach or suggest the features of claim 1.

In the *Response to Arguments* section of the Office Action mailed on August 5, 2008, the Examiner stated:

In response to the argument that the Cobben invention teaches only perforations which extend non-perpendicularly through a carrier, the examiner contends that the Cobben invention does indeed read upon the limitations citing perforations extending through said carrier in a direction perpendicular to said surface as is understood in figures 1 and 5.

However, as Applicants' representative explained to the Examiner in the above-mentioned telephone interview, Applicants never argued that Cobben does not teach or suggest perforations extending perpendicularly to the surface. Instead, Applicants argued that Cobben does not teach or suggest *non-perpendicular viewing* of perpendicular perforations, as in claim 1. The only instance in which Cobben discusses *non-perpendicular viewing* is in the case of *non-perpendicular* perforations (see column 4, lines 6-8).

During the telephone interview, Applicants' representative asked the Examiner to point out where in Cobben it is taught to view perpendicular perforations from a non-perpendicular direction. The Examiner first asserted that "the whole of Cobben" shows this, and, when Applicants' representative then requested a specific teaching in that patent, the Examiner pointed to column 5, lines 25-27. That portion of Cobben states "wherein the perforation pattern is adapted to present to the user an image which differs per angle of view." However, this refers to the viewing of *oblique* perforations (e.g., column 4, lines 4-6 and 25-29), not perpendicular perforations. Specifically, column 4, lines 4-6 discusses perforations which are "arranged obliquely, i.e., at an angle differing from 90 degrees," and refers to Fig. 2, which

shows oblique perforations. And column 4, lines 25-29 provides:

Owing to the fact that both perforations 4 are arranged obliquely, it is possible to provide these perforations with extra information, for instance by arranging them in the form of a letter or a logo. This is of course only visible when the image is viewed at a determined angle.

The Examiner stated during the telephone interview that since Cobben discusses non-perpendicular viewing of non-perpendicular portions, one could easily view the perpendicular portions of Cobben from a non-perpendicular angle (again citing column 5, lines 25-27). However, nothing in Cobben would teach or even suggest that a non-perpendicular viewing of perpendicular perforations would make any sense. As quoted above with respect to column 4, lines 25-29, Cobben states that it is possible to provide these perforations with extra information *owing to the fact that both perforations 4 are arranged obliquely*. Cobben further states that this is of course only visible *when the image is viewed at a determined angle*.

MPEP 2131 provides that to anticipate a claim, the reference must teach every element of the claim. Cobben does not teach a verifying method including viewing a document as recited in claim 1 from at least one viewing direction that is *non-perpendicular* to a surface of the carrier, the perforations, at least part of them having an elongate cross section, extending through the carrier in a direction *perpendicular* to the surface, as explained above. Accordingly, Cobben cannot anticipate claim 1.

Claim 7 recites a security document including a carrier and a security feature with perforations in the carrier, wherein at least one of the perforations has an elongate cross section with a minimum and a maximum diameter, at least two of the perforations have different cross sections, the perforations extend through the carrier perpendicular to a surface

of the carrier, and the cross sections have equal areas. By virtue of the features of claim 7, the different types of holes are indistinguishable when orthogonally viewing the carrier, but generate a difference when obliquely viewing the carrier. Nothing in Cobben would teach or suggest these features.

The Office Action cites column 4, lines 10-15 and 44-47 of Cobben as teaching at least two perforations having different cross sections, and cites Figs. 3 and 4 as teaching the cross sections having equal areas. However, claim 7 requires, *inter alia*, perpendicular perforations, at least one of which is elongate. Fig. 3 of Cobben does not show perpendicular holes at all, and nevertheless shows holes with modulated widths, i.e., different diameters; while Fig. 4 shows perpendicular holes, there is nothing to indicate that those perpendicular holes are elongate. The cited portions of column 4 refer to an embodiment apparently having holes of *varied* area, unlike in claim 7, since (lines 10-15) the hole diameters are modulated, from which it follows that the areas of the holes are varied in the absence of any suggestion that the cross sections have equal area. Moreover, it is submitted that the Examiner has not made out a proper rejection on anticipation, since the Examiner appears to be picking and choosing from different embodiments of Cobben in order to find that claim 7 is anticipated by that patent. Even so, a security document having the features recited in claim 7 is not taught by Cobben.

Claim 21 is directed to a security document comprising a carrier, a first type of perforations in the carrier having elongate cross section, and a second type of perforations in the carrier having circular cross section. The elongate cross section has an equal area as the circular cross section, and the first and second types of perforations extend through the document in a direction perpendicular to a surface of the carrier. See, for example, original

claim 15 of the present application, as well as in Fig. 5 and page 5, line 34 to page 6, line 3.¹

Nothing in Cobben or Kimura teaches elongate as well as circular perforations that both extend perpendicularly through the carrier and have equal area. This design is advantageous because, when viewing the carrier perpendicularly, both types of perforations appear to have equal brightness while, when viewing the carrier obliquely, the brightness of the two types of perforations differs. Furthermore, a combination of circular and elongate perforations can be manufactured more easily than a combination of two types of elongate perforations having differing directions of their elongate axes, because the latter requires a more complex, two-dimensional beam deflector for the perforating laser.

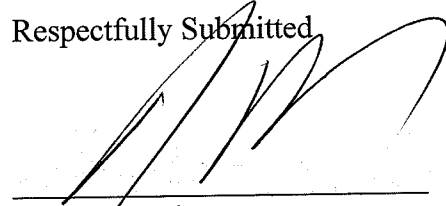
For all the foregoing reasons, claims 1, 7, and 21 are seen to be clearly allowable.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

¹It is of course to be understood that the references to various portions of the present application are by way of illustration and example only, and that the claims are not limited by the details shown in the portions referred to.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'John Richards', is written over a horizontal line.

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